

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

JASON GALANIS,
GARY HIRST,
JOHN GALANIS, a/k/a "Yanni,"
HUGH DUNKERLEY,
MICHELLE MORTON,
DEVON ARCHER, and
BEVAN COONEY,

No. 16 Cr. 371 (RA)

Defendants.

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law, as well as the Declaration of Matthew L. Schwartz and the exhibits thereto and the pleadings and other filings in this case, defendant Devon Archer respectfully moves this Court before the Honorable Ronnie Abrams, United States District Judge, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, for an order (a) dismissing Count Two of the Indictment as against Mr. Archer; (b) requiring the government to provide a bill of particulars; (c) compelling the government to produce Rule 16 material in its possession, custody, or control; (d) requiring the government to complete its *Brady* review no later than 60 days before trial, (e) setting a short deadline for the government to file any motion invoking the crime-fraud exception to Mr. Archer's privileged communications, (f) compelling the government to immediately file the notice required under Federal Rule of Criminal Procedure 12.4, and for other related relief.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the deadlines set by the Court by order dated October 27, 2017 [ECF No. 264], the government's opposition papers are due on February 5, 2018, and reply papers are due on February 12, 2018.

Dated: January 16, 2018
New York, New York

Respectfully submitted,

/s/ Matthew L. Schwartz
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